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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,224	12/21/2001	Timo Vataja	4208-4038 Nokia 26200	3292
27123	7590	08/31/2005	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			PERUNGAVOOR, VENKATANARAY	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 08/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,224

Applicant(s)

VATAJA, TIMO

Examiner

Venkatanarayanan Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/28/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1-4,7-15,19-22, 26, 31-34, 36-39, 44-47,49-52 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication No. 2002/0080968 A1 to Olsson.
3. Regarding Claim 1, Olsson discloses the retrieving of location-based authentication data from the device see Par. 0035; encoding multimedia content creating a key that authenticates content at a certain physical location and time see Par. 0041 & Par.0028-0031.
4. Regarding Claim 2, 31, 44, Olsson discloses the data indicating the physical location of the multimedia device see Par. 0029.
5. Regarding Claim 3, 15, 32, 45, Olsson discloses the GPS coordinates being used see Par. 0030.

6. Regarding Claim 4, 34, 47, Olsson discloses the location being determined through a connection to a personal area network see Par. 0027.
7. Regarding Claim 7, 19, Olsson discloses the location being determined through a connection to mobile phone network see Par. 0012-0013 & 0021.
8. Regarding Claim 8 and 9, 33, 36, 46, 49, Olsson discloses the authentication data including the date and time see Par.0030.
9. Regarding Claim 10, 20, 37, 50, Olsson discloses the GSM systems beings used which include IMEI data see Par. 0028 & Par. 0037.
10. Regarding Claim 11, 21, 38, 51, Olsson discloses the authentication data including the IMSI see Par. 0023.
11. Claim 12 contains similar language found in Claims 8-11 above as such see rejections above.
12. Regarding Claim 13, Olsson discloses the creation of content and encoding being done simultaneously in order to avoid propagation delay see Par. 0028.

13. Regarding Claim 14, Olsson discloses a location device for determining location see Par.0027, a time device for corresponding time and date see Par.0028-0030, a storage medium storing identifying information and keys see Par. 0037, a generation switch that generates data and encodes data see Par. 0037-0039.

14. Regarding Claim 22, Olsson discloses the encryption using keys with signature see Par. 0042 & Par. 0047 & Par. 0034.

15. Regarding Claim 26, Olsson discloses the retrieving location based information and multimedia content see Fig. 4 item 3 & item 5, correlating the multimedia content and encrypting it with algorithm see Fig. 4 item 0 & item 3.

16. Regarding Claim 39, Olsson discloses a storage medium see Par. 0037, a network interface see Par. 0024, a processor that executes an correlation with a database see Par.0024 and encrypting the location based information with location and time see Par. 0029-0030 & Par. 0037.

17. Claim 52 contains similar language as Claim 1 above is rejected along the same lines and also see Par. 0051.

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claim 5, 6, 16-18, 23-25, 27-30, 35, 40-43, 48 are rejected under 35 U.S.C.

103(a) as being unpatentable over U.S. Patent Publication No. 2002/0080968 A1 to Olsson in view of U.S. Patent Publication No. 2002/0169539 A1 to Menard et al.(hereinafter Menard).

20. Regarding Claim 5 and 6, 16 and 17, 18, 35, 48, Olsson does not disclose the BLUETOOTH or WLAN being used. However, Menard discloses BLUETOOTH being used see Par. 0077-0078, WLAN, LAN, being used see Par. 0106. It would be obvious to one having ordinary skill in the art at the time of the invention to include BLUETOOTH and WLAN of Menard in the invention of Olsson in order to use conventional technology(wireless) as taught in Menard see Par.0077 & Par. 0106.

21. Regarding Claim 23-25, 27-30, 40-43, Olsson does not disclose the image, audio, video data being sent. However, Menard discloses the image, audio, and video data being sent see Par. 0051. It would be obvious to one having

ordinary skill in the art at the time of the invention to include the image, audio, and video data being sent in the invention of Olsson in order to get a graphical image of the location as taught in Menard see Par. 0051.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent Publication No. 2002/0169966 A1 to Nyman et al.


23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

24. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VP

8/23/2005

Venkatanarayanan Perungavoor
Examiner
Art Unit 2132


GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100